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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,358	05/02/2001	Yukihiko Nansho	01309.00012	3942

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EXAMINER

THEIN, MARIA TERESA P. O.

ART UNIT

PAPER NUMBER

3625

DATE MAILED: 09/24/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/846,358

Applicant(s)

NANSHO, YUKIHIKO

Examiner

Marissa Thein

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: Figure 4 is not disclosed in the specification but is disclosed in the drawings.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 and 6-7 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,794,212 to Mistr, Jr.

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Regarding to claims 1-2, Mistr discloses a system comprising: a material information receiving means which receives an input of information on material which can be supplied; a processing information receiving means which receives an input of information on processing which can be supplied; and a desired information receiving means which receives an input of desired information on desired material and desired processing. (See at least abstract; summary; col. 6, line 15 – col. 7, line 32; col. 10, lines 19-49)

Regarding to claims 3-4, Mistr discloses an output unit comprising: a specification information memory means which stores a required specification; a material information memory means which stores information on material which can be supplied; a processing information memory means which stores information on processing which can be supplied; and an output means which outputs information. (See at least abstract; summary; col. 6, line 15 – col. 7, line 32; col. 10, lines 19-49)

Regarding to claims 6-7, Mistr discloses an output method comprising: a step to disclose a required specification for elements; a step to receive and store information on material which can be supplied; a step to receive and store information on processing which can be supplied; a step to receive an input of desired information on the material and the processing; and a step to output information on the material and the processing which corresponds to the desired information. (See at least abstract; summary; col. 6, line 15 – col. 7, line 32; col. 10, lines 19-49)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,794,212 to Mistr.

Regarding to claim 5, Mistr discloses an output unit comprising: a material information memory means which stores information on material which can be supplied; a processing information memory means which stores information on processing which can be supplied; and an output means which outputs information (see at least abstract; summary; col. 6, line 15 – col. 7, line 32; col. 10, lines 19-49). However, Mistr does not disclose the stored information is thinned-out woods. The information being thinned-out woods do not in and of itself lend to an inventive step. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the output unit of Mistr to include the stored information is thinned-out woods, so as to provide a system and method that is efficient and orderly, thus providing a transmission of materials supplied by constraint mitigation and unified services.

Regarding to claim 8, Mistr discloses an output method comprising: a step to receive and store information on material which can be supplied; a step to receive and store information on processing which can be supplied; a step to receive an input of desired information on the material and the processing; and a step to output information on the material and the processing which corresponds to the desired information (see at

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least abstract; summary; col. 6, line 15 – col. 7, line 32; col. 10, lines 19-49). However, Mistr does not disclose the stored information is thinned-out woods. The information being thinned-out woods do not in and of itself lend to an inventive step. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the output unit of Mistr, to include the stored information is thinned-out woods, so as to provide a system and method that is efficient and orderly, thus providing a transmission of materials supplied by constraint mitigation and unified services.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,495,412 to Theissen discloses interactive computer-assisted negotiations with multiple parties.

U.S. Patent No. 6,041,173 to Howard discloses a method and system for simulating forest management.

U.S. Patent No. 6,446,053 to Elliott discloses method and system for producing a proposal for a construction project.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Thein whose telephone number is 703-305-5246. The examiner can normally be reached on Monday-Friday 8:30-5:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone numbers

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for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

mtot
September 16, 2002


WYNN W. COGGINS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600